

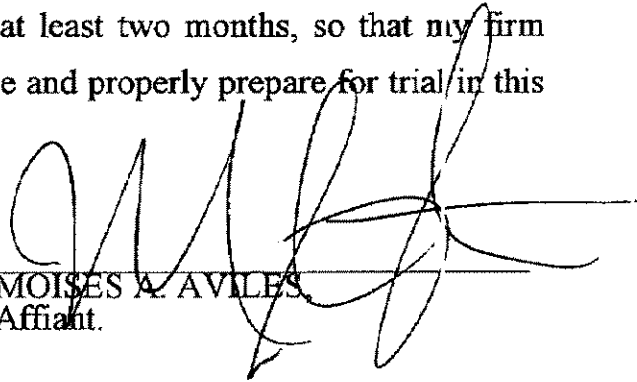
**AFFIDAVIT OF MOISES A. AVILES.**

STATE OF CALIFORNIA )  
 )  
 ) SS  
COUNTY OF SAN BERNARDINO )

MOISES A. AVILES, after being duly sworn on oath, deposes and states that:


1. I am the attorney for the Plaintiff in the above-entitled action. If I am called to testify, I would competently and truthfully testify under oath.
2. I am making this Motion for Continuance based on the foregoing reasons.
3. On October 20, 2003, the Complaint was filed in the above-entitled Action.
4. From December 29, 2003, to June 29, 2006, continuances were requested by Plaintiff's former attorney, Michael Green, which were consented to by the Government, and granted by this Court.
5. On January 25, 2007, I was admitted *pro hac vice*, and was substituted in as Plaintiff's counsel.
6. My law firm only consists of one Associate and myself. My firm has an extremely large case load, where we are working on the following cases:
  - a. *Jose Lopez Guzman, et al., v. Gonzalo Llamas, et al.*, Orange County (California) Superior Court Case No. 05CC03200, where a mistrial was declared April 11, 2007, and where that Court hear further arguments on May 22, 2007.
  - b. *Jose Armando Sorto, et al., v. Maria Valencia, et al.*, Orange County (California) Superior Court Case No. 05CC12686, where trial is set for May 21, 2007.

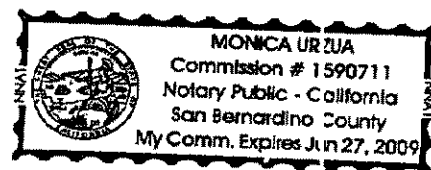
7. In addition, I also have Appeals pending in both the California Courts of Appeal, and the Ninth Circuit Court of Appeals, and in the later, I have many immigration Appeals before that Court, which takes substantial time to prepare.
8. Because I have trials coming up, and Appeals to work on, and other civil, family law, and criminal motions to work on, I would need at least two months to study all the evidence that is in our possession (including about six depositions, prior EEOC material, etc.) that it cannot be done by trial date of April 24, 2007.
9. I have met all current deadlines in this case.
10. On or about April 10, 2007, I contacted Mr. Thomas A. Helper, Assistant U. S. Attorney for the United States, and ~~he~~ he did not consent to any continuance, even though he consented to many between December 29, 2003, to June 29, 2006.
11. I hereby request a continuance of at least two months, so that my firm and I could study all of the evidence and properly prepare for trial in this case.

  
MOISES A. AVILES  
Affiant.

Subscribed and sworn to before me

This 12th day of April 2007.

  
My Commission expires: 06/27/2009



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